

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

Contract No. C-015

THIS AGREEMENT, is between LEON COUNTY, FLORIDA, acting by and through its County Commission, hereinafter referred to as "COUNTY," and the State of Florida, Division of Administrative Hearings, hereinafter referred to as "DOAH."

WHEREAS, Leon County Ordinance No. 90-31, adopted July 16, 1990, requires that the County provide administrative procedures and standards by which a property owner may demonstrate that private property rights had vested against the provisions of the 2010 Comprehensive Plan; and

WHEREAS, Leon County Land Development Code Section 10-1485 provides that the County may contract with DOAH for hearing officers to hear appeals of applicants for site and development plan reviews; and

WHEREAS, it has been determined by the COUNTY and DOAH that a contractual arrangement for the purpose of providing an Administrative Law Judge is available for the above stated provision under Section 120.65, Florida Statutes; and

NOW, THEREFORE, the parties hereto, for valuable consideration and the mutual promises between the parties hereto, it is agreed as follows:

1. Scope of Services. DOAH agrees to make Administrative Law Judges available to COUNTY. The Administrative Law Judges to be provided will be full-time judges employed by the State of Florida, Division of Administrative Hearings. The Administrative Law Judges to be provided are experts in the adjudication of administrative disputes.

2. Compensation. The fiscal year 2003-2004 General Appropriations Act, Chapter 2003-397, Laws of Florida, requires DOAH to renegotiate its contract for Administrative Law Judge services annually so that the hourly rate charged is based on a total-cost-recovery methodology. The rate has been determined to be \$129.00 per hour beginning November 1, 2003. DOAH will notify the COUNTY of the amended hourly rate on or about the first day of September of each year. That rate will become effective on the first day of October that same year. The COUNTY agrees to compensate DOAH from the date of the last signature on this contract until October 1, 2004, at the hourly rate of \$129.00 per hour, for each hour actually worked, and subsequently, at the hourly rate determined in accordance with the Florida Legislature's directive. This rate will apply for Administrative Law Judge services in

preparing for hearings, traveling to hearings, conducting hearings, and preparing Recommended Orders.

3. Expenses. COUNTY agrees to pay the actual travel expenses of the Administrative Law Judge in the amount provided pursuant to Chapter 112, Florida Statutes. DOAH agrees, whenever possible, to arrange the travel schedule of such Administrative Law Judge so that the Administrative Law Judge can accomplish other work during a trip, and, in such instances, travel expenses and hourly compensation will be prorated for services to COUNTY. DOAH will submit invoices monthly and COUNTY agrees to remit payment monthly in accordance with Chapter 218, part VII, Florida Statutes. DOAH agrees to provide COUNTY an itemized statement of the charges and costs described therein with the invoice.

4. Video Teleconferencing. In the event a hearing is being conducted by video teleconferencing, COUNTY will reimburse DOAH at the current video teleconferencing rate (Attachment A) for the time the equipment is used.

5. Contract Management. Deputy Chief Judge Harry L. Hooper or in his absence Administrative Services Director Lisa M. Guidry shall provide contract management services under this Agreement for DOAH.

6. Term. This Agreement is for a term of one (1) year and will begin on the date the last signature is

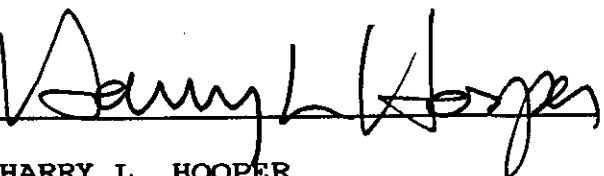
placed on this contract and will automatically renew for succeeding yearly periods one year from the date last signed. This Agreement may be amended from time to time by mutual agreement of the parties, and may be terminated by either party for the convenience of that party upon thirty (30) days' written notice.

7. Request for Services. COUNTY, in order to obtain the services of an Administrative Law Judge, shall initiate a letter to the Chief Judge, Division of Administrative Hearings, requesting the services of an Administrative Law Judge and shall include with such request a copy of any materials relevant to the request. DOAH shall provide an Administrative Law Judge within thirty (30) days of its receipt of the letter initiating such request.

LEON COUNTY,

By: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF FLORIDA, DIVISION  
OF ADMINISTRATIVE HEARINGS

By:  Date: Oct 30, 2013

HARRY L. HOOPER  
Deputy Chief Judge

State Of Florida/State Technology Office  
Department Of Management Services  
**Suncom Videoconferencing Network**  
**RATES**

**Point-To-Point Videoconferences (Two Rooms):**

DMS Provided Rooms	\$100.00/hour*
User Owns One Room	\$ 75.00/hour*
User Owns Both Rooms	\$ 36.00/hour*

**Multi-Room Videoconferences (Three or More):**

DMS Provided Rooms	\$ 75.00/hour/room*
(Deduct \$25.00/hour for each user owned room.)	

(\*Rate listed is for 384Kbps video speed which is recommended for most videoconference users)

One hour minimum use.                      48-Business-Hour cancellation fee of total scheduled time.

<u>City</u>	<u>Video Room Location</u>	<u>Room #</u>
Tallahassee	Capital Circle Office Center	301 (Bldg. 4030)
	Capital Circle Office Center	109 (Bldg. 4030)
	Capital Circle Office Center (^special use facility) ^101	(Bldg. 4050)
Daytona Beach	DB Regional Service Center	A-101
Ft. Lauderdale	North Broward Regional Service Center**	196
Ft. Myers	Ft. Myers Regional Service Center	165-A
Jacksonville	Duval Regional Service Center (Bldg.B)	B-301
Miami	Rohde Building	N-106
Orlando	Hurston Building (North Tower)	N-101
Pensacola	James Building	501-A
Tampa	Trammell Building	608
West Palm Beach	Dimick Building/Palm Beach RSC	114-C

**ATTACHMENT A**